

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

CARD ACTIVATION TECHNOLOGIES, INC.,	)	
	)	
Plaintiff,	)	
	)	Civil Action No. 07-cv-6289
v.	)	
	)	Judge Ronald A. Guzman
THE TJX COMPANIES, INC.	)	
	)	Magistrate Judge Jeffrey Cole
Defendant.	)	
	)	
	)	

**JOINT MOTION TO RESCHEDULE INITIAL STATUS HEARING**

Plaintiff, Card Activation Technologies, Inc. (“CATI”), and Defendant, The TJX Companies, Inc. (“TJX”), respectfully move this Court to postpone the initial status hearing in this matter until on or after February 27, 2008. In support of this motion, CATI and TJX state as follows:

1. On November 6, 2007, CATI filed its Complaint for patent infringement against TJX.
2. On November 28, 2007, this Court entered an Order setting this matter for an initial status hearing on January 11, 2008. The Court’s requirements for the initial appearance as outlined in the case management procedures require the parties to meet to discuss the nature and basis of their claims and defenses as well as an arrangement for Rule 26(a)(1) disclosures and their proposed discovery plan no later than December 28, 2007.
3. After filing the Complaint, CATI promptly attempted to serve TJX’s registered agent. However, before personal service was effected, TJX agreed to waive service of summons pursuant to Fed. R. Civ. P. 4(d). Accordingly, on or about December 14, 2007, CATI sent TJX a request for waiver of service of summons pursuant to Fed. R. Civ. P. 4(d).

4. TJX timely executed and returned the waiver of service of summons form. Pursuant to Fed. R. Civ. P. 4(d)(3), TJX's deadline to answer or otherwise plead in response to the Complaint expires on February 12, 2008, sixty days after CATI sent the request for waiver of service of summons.

5. In light of TJX's recent receipt of the waiver request, the parties agree that granting TJX additional time to review the allegations in the Complaint and formulate its defenses would facilitate a more productive Rule 26(f) conference between the parties in advance of the initial status hearing.

6. The parties further agree that they will be prepared to have a Rule 26(f) conference shortly after TJX files its responsive pleading on February 12, 2008. As a result, continuing the initial status hearing to a date on or after February 27, 2008 will allow the parties to comply with the Court's case management procedures prior to the initial status hearing.

WHEREFORE, Card Activation Technologies, Inc. and The TJX Companies, Inc. jointly request that the initial status hearing currently set for January 11, 2008 be rescheduled for the first available date on or after February 27, 2008.

Dated: December 28, 2007

Respectfully submitted,

**CARD ACTIVATION  
TECHNOLOGIES, INC.**

By: /s/ Mark D. Roth

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**THE TJX COMPANIES, INC.**

By: /s/ Steven P. Mandell

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